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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 DANIEL JAY PEREZ,

8 Plaintiff,

9 v.

10 RICHARD MORGAN, et al.,

11 Defendants.

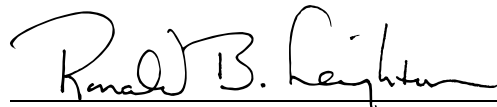
Case No. 3:16-cv-6023-RBL-TLF

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

12 The Court, having reviewed plaintiff's first amended complaint, Defendant Guidry's
13 second motion to dismiss, the Report and Recommendation of Magistrate Judge Theresa L.
14 Fricke, and the remaining record, does hereby find and **ORDER**:

- 15 1) The Court adopts the Report and Recommendation [Dkt. #103].
16 2) Defendant Guidry's motion to dismiss [Dkt. #68] is **DENIED**.
17 3) This matter is **re-referred** to Magistrate Judge Theresa L. Fricke.
18 4) The Clerk is directed to send copies of this Order to plaintiff and to counsel for
19 defendants.

20 **DATED** this 11th day of September, 2017.
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25 Ronald B. Leighton
26 United States District Judge